



US Army Corps
of Engineers
Seattle District



Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers

Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone (206) 764-5528
Attn: Jessica Winkler, Project Manager

WA Department of Ecology

SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: September 6, 2007

Expiration Date: October 5, 2007

Reference No.: NWS-2007-497-SOW

Name: Seattle, Port of & Alaska
Railroad Corp.

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: Port of Seattle

Mr. David McCraney
Post Office Box 1209
Seattle, Washington 98111
Telephone: (206) 728-3193

Alaska Railroad Corporation
Mr. Patrick Flynn
Post Office Box 107500
Anchorage, Alaska 99510
Telephone: (907) 265-2206

AGENT:

Harbor Consulting Engineers, Inc.
Mr. John Hutchins
3006 Fuhrman Avenue East
Seattle, Washington 98102
Telephone: (206) 709-2397

LOCATION: At the northeast end of Harbor Island at Piers 15 ½ and 16 and Terminal 18 in Elliott Bay at Seattle, Washington.

WORK: Replace 13 dolphins, totaling 327 creosote treated piles with 8 dolphins, totaling 68 coated steel piles (sixteen 36-inch diameter, sixteen 30-inch diameter, and thirty six 16-inch piling), and remove an existing transfer

span structure. Piling will be driven with a vibratory pile driver. Up to 92 cubic yards of clean sand capping material will be placed at the pile removal sites.

PURPOSE: Maintenance of existing marine terminals.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The proposed work is of such a limited nature and extent and has been extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION – CORPS - The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement

pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternative analysis for any proposed discharge of dredged or fill material into waters of the United States.

EVALUATION—ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: The City of Seattle has issued an exemption from the requirement of obtaining a Shorelines Substantial Development permit for this project.

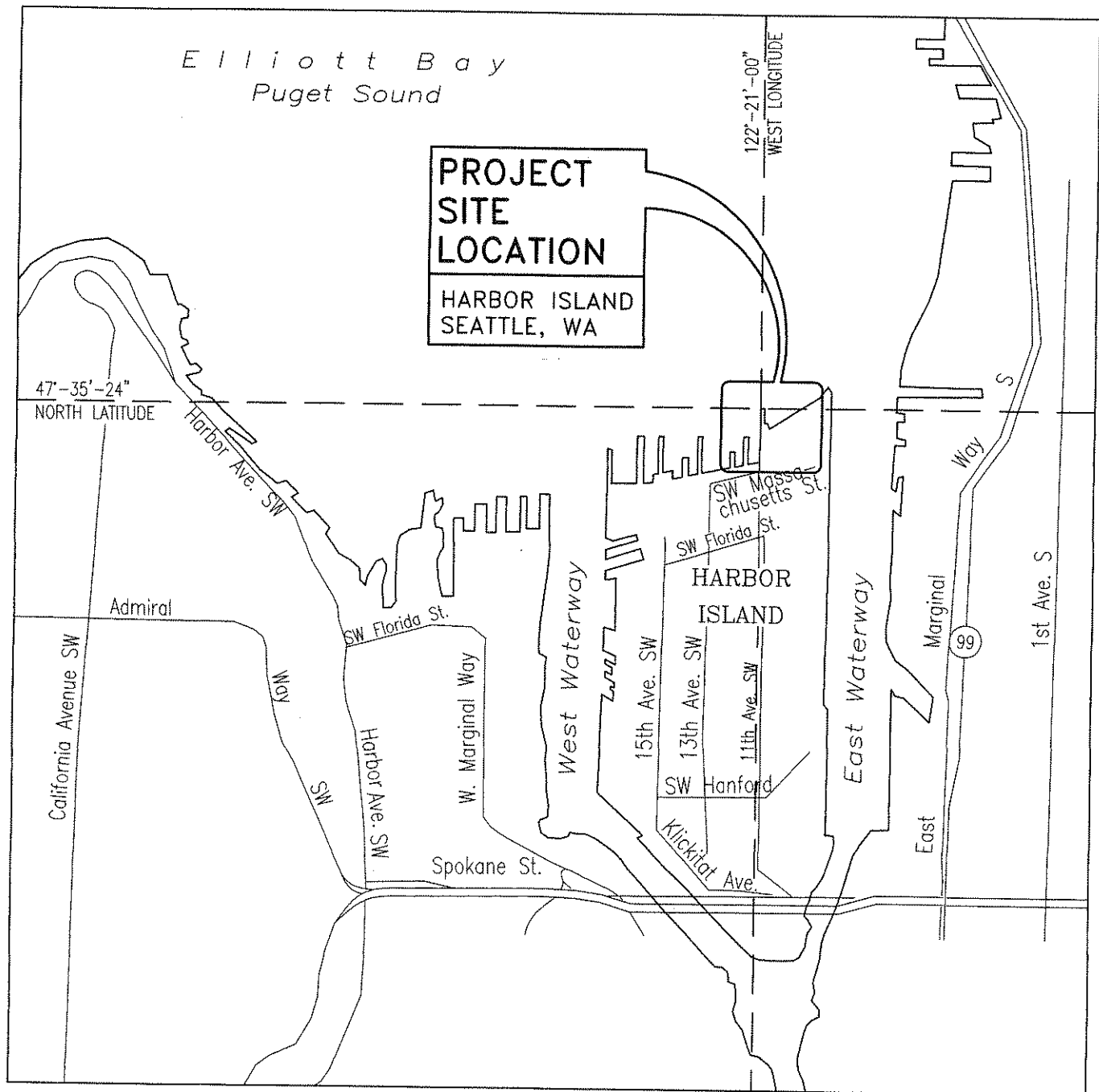
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

Corps comments: All e-mail comments should be sent to jessica.g.winkler@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Ms. Jessica Winkler, Post Office Box 3755, Seattle, Washington, 98124-3755.

Ecology Comments: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington, 98504-7600, or e-mail to ecyrefedpermit@ecy.wa.gov

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Seattle, Port of & Alaska Railroad Corp.; NWS-2007-497-SOW

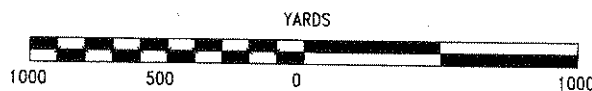
Encl: Figures (8)



PROJECT IS IN THE NW 1/4 OF SEC 7-TWP 24N-R4E, W.M.
STREET ADDRESS: 1124 S.W. MASSACHUSETTS St., SEATTLE, WA &
2900 11th AVE. S.W., SEATTLE, WA

VICINITY MAP

SCALE 1:25,000



NWS-2007-497-SOW

DATUM: MLLW = 0.0 (N.O.S.)

ADJACENT PROPERTY OWNERS OF RECORD:

- ① UNION PACIFIC RAILROAD CO.
- ② WASH. DEPT. OF NATURAL RESOURCES
- ③ PORT OF SEATTLE
- ④ SHELL OIL PRODUCTS US

APPLICATION PREPARED BY: HARBOR CONSULTING ENGINEERS

PROPOSED REPLACEMENT OF MOORING DOLPHINS & REMOVAL OF
TRANSFER SPAN.

PURPOSE: TO ENSURE SAFE MOORAGE OF VESSELS

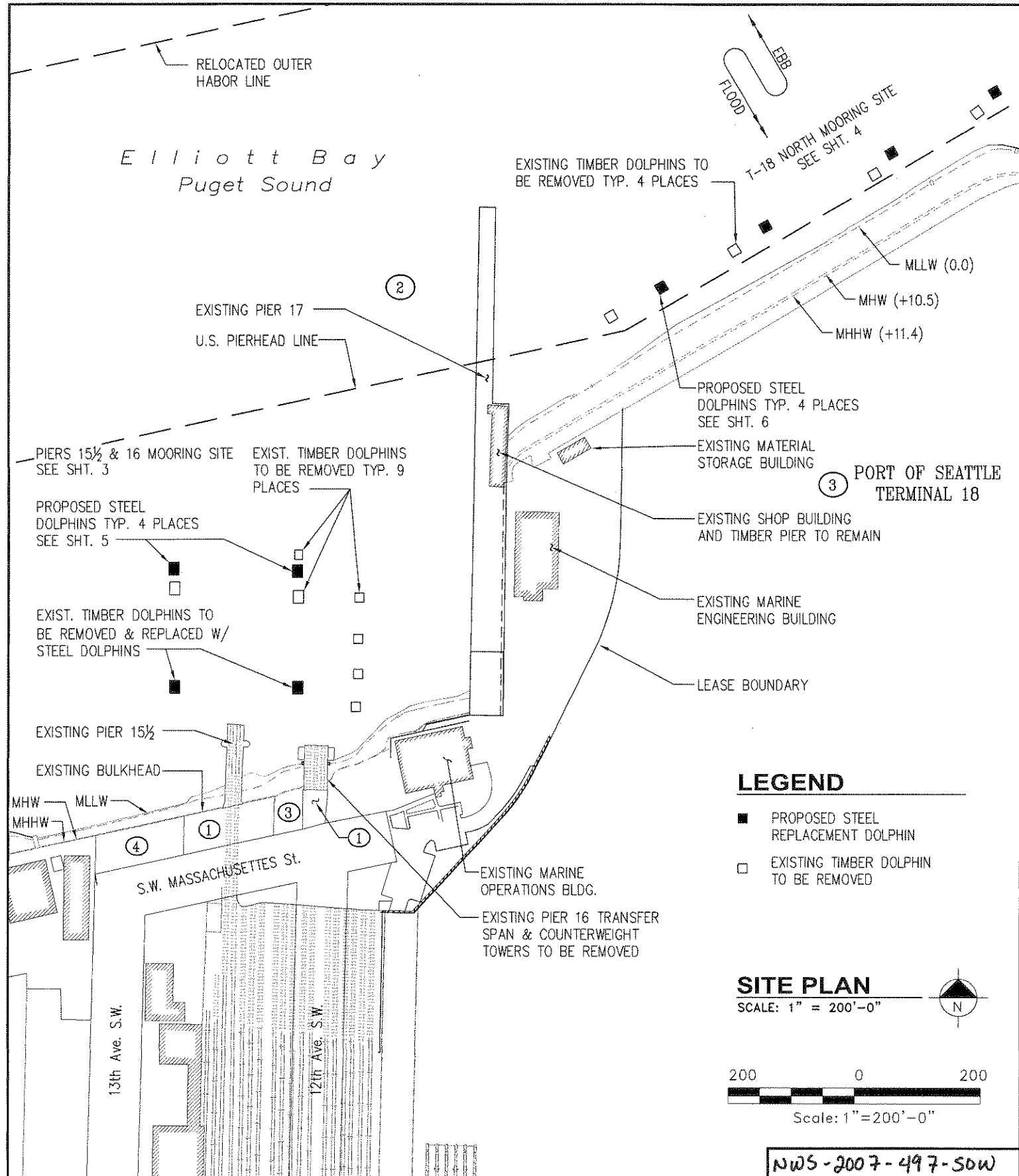
IN: ELLIOTT BAY OF PUGET SOUND

AT: SEATTLE, KING COUNTY, WASHINGTON

APPLICATION BY: PORT OF SEATTLE

SHT. 1 OF 8

DATE: JANUARY 16, 2007



DATUM: MLLW = 0.0 (N.O.S.)

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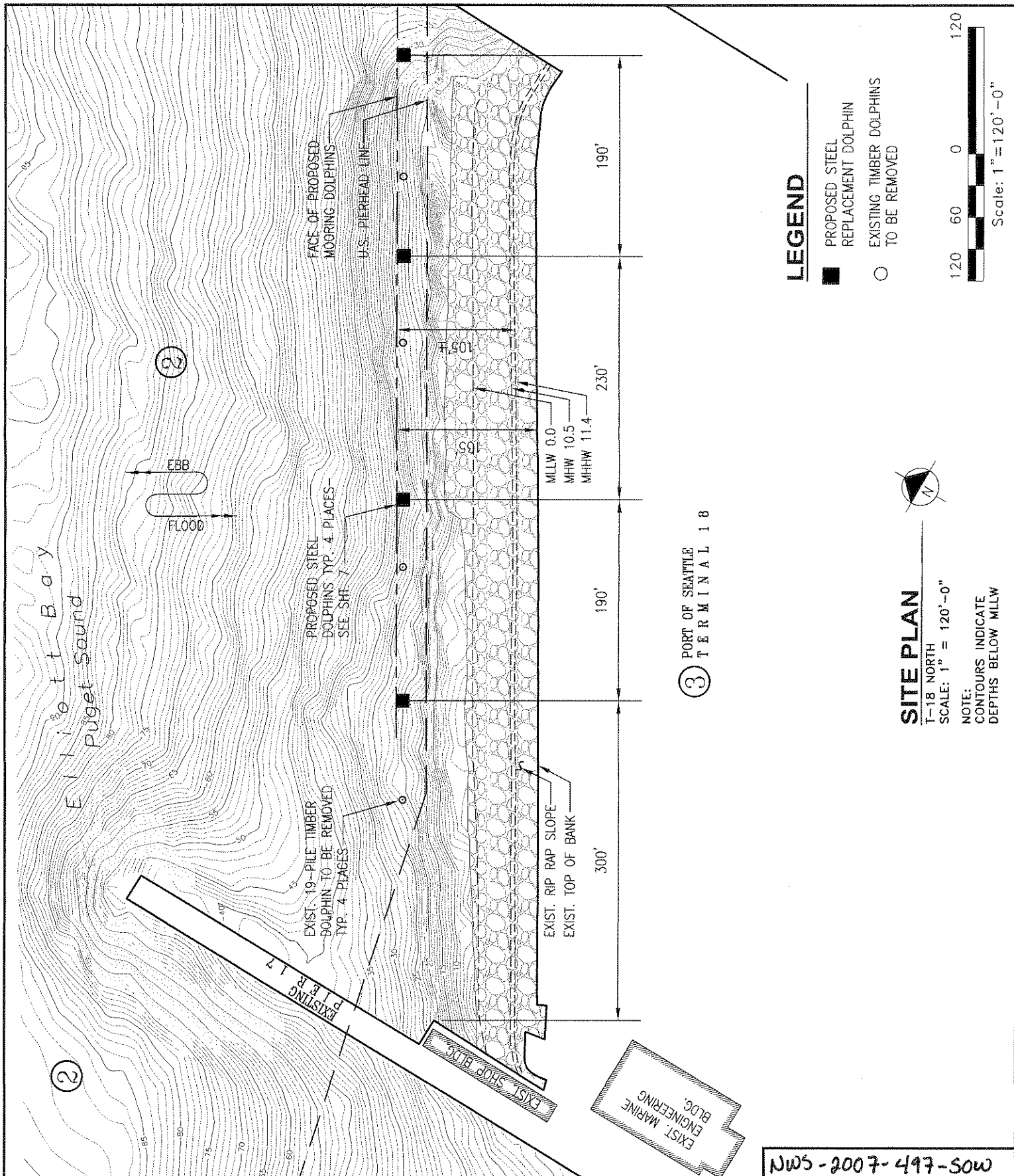
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AT: SEATTLE, KING COUNTY, WASHINGTON
APPLICATION BY: PORT OF SEATTLE

SHT. 2 OF 8

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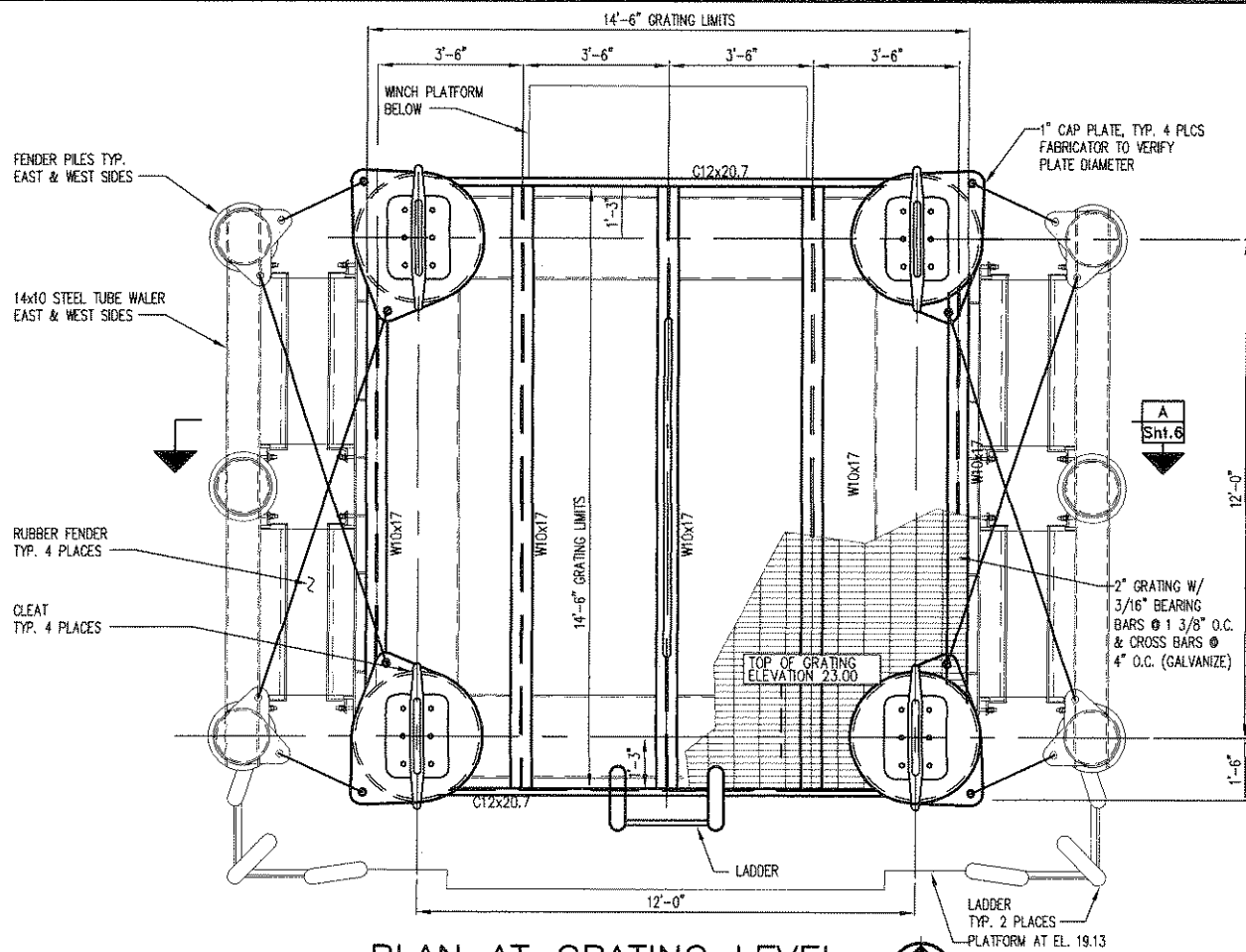
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AT: SEATTLE, KING COUNTY, WASHINGTON
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SHT. 4 OF 8

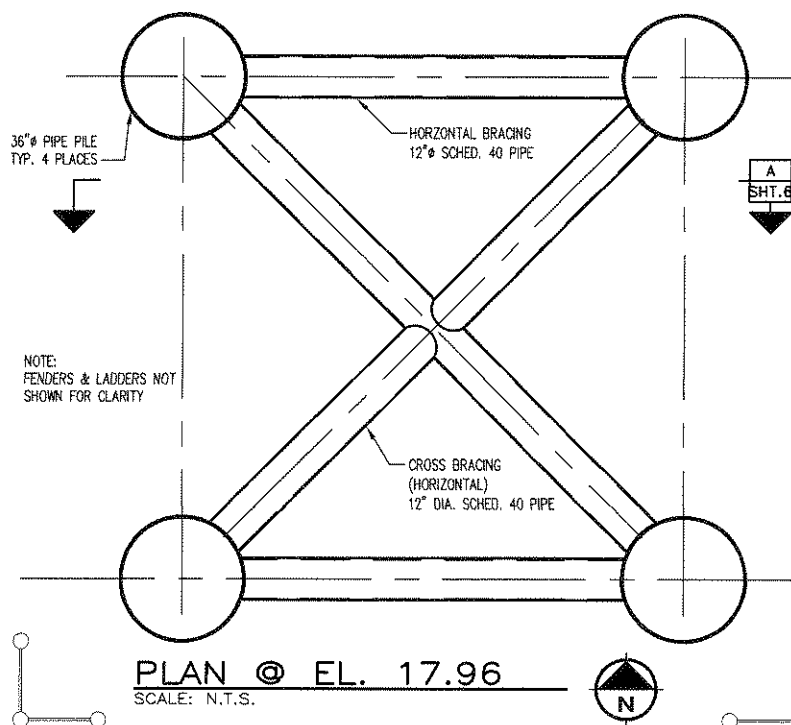
DATE: JANUARY 16, 2007

NWS-2007-497-SOW



PLAN AT GRATING LEVEL

STEEL DOLPHIN
SCALE: N.T.S.



PLAN VIEW
TYPICAL DOLPHIN AT
PIERS 15½ & 16
MOORING SITE

NWS-2007-497-SOW

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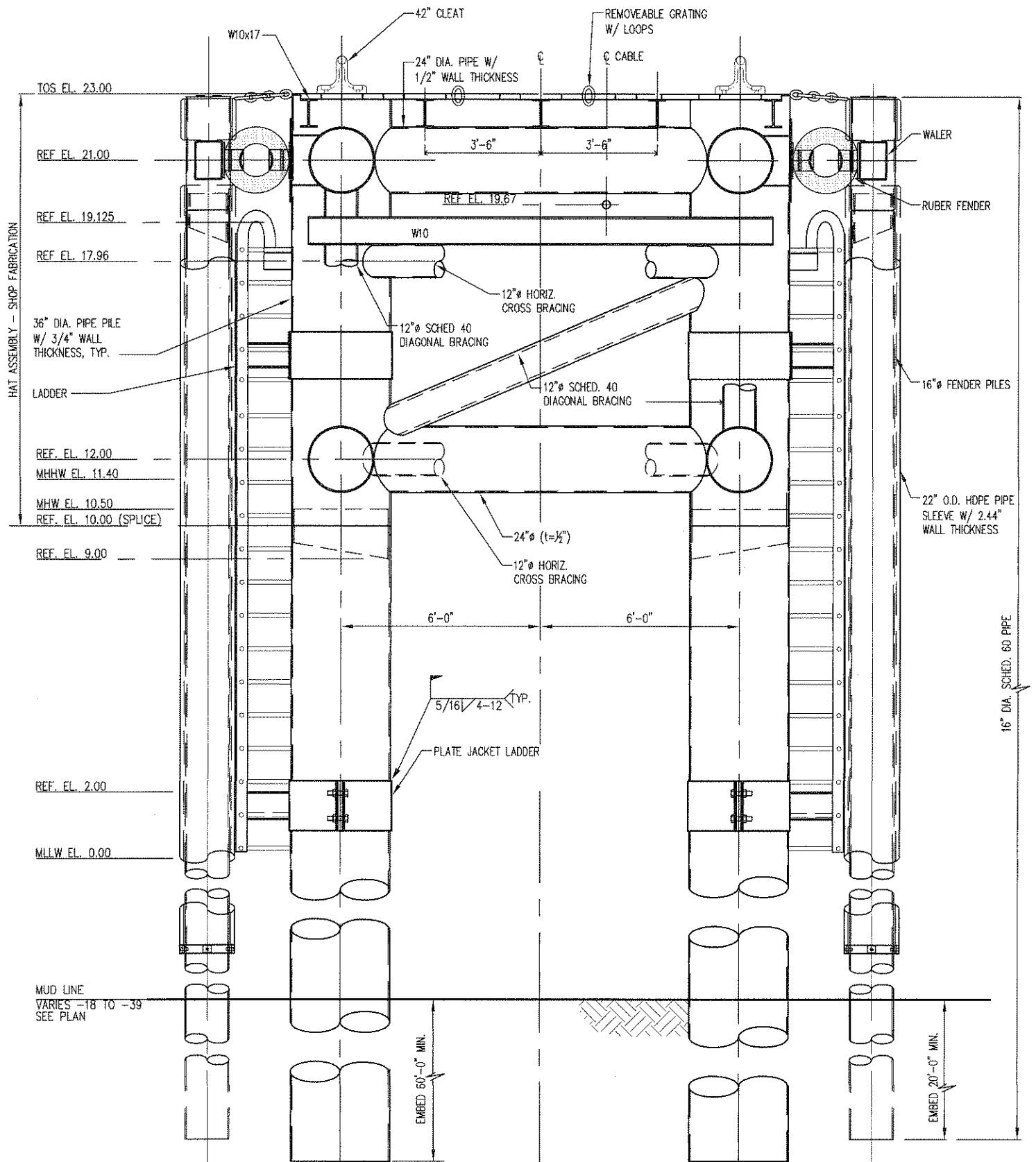
IN: ELLIOTT BAY OF PUGET SOUND

AT: SEATTLE, KING COUNTY, WASHINGTON

APPLICATION BY: PORT OF SEATTLE

SHT. 5 OF 8

DATE: JANUARY 16, 2007



SECTION A

STEEL DOLPHIN
SCALE: 1/4" = 1'-0"

NWS-2007-497-SOW

DATUM: MLLW = 0.0 (N.O.S.)

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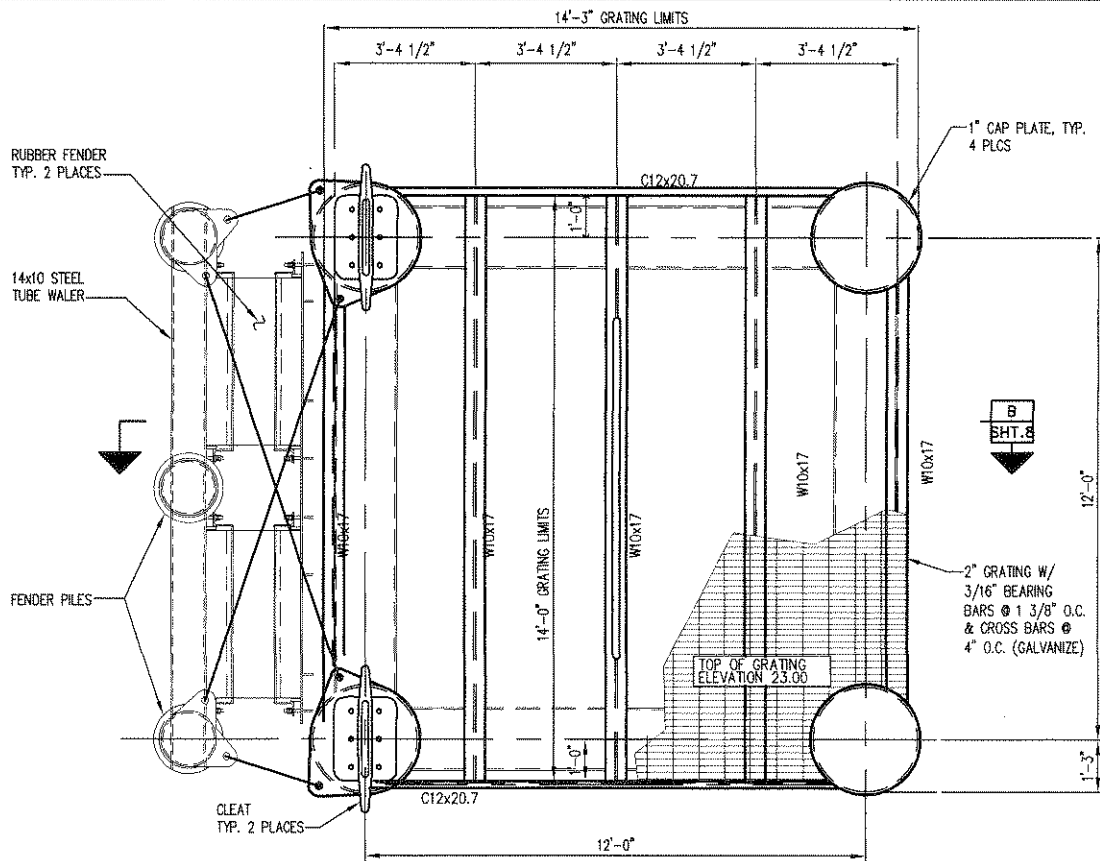
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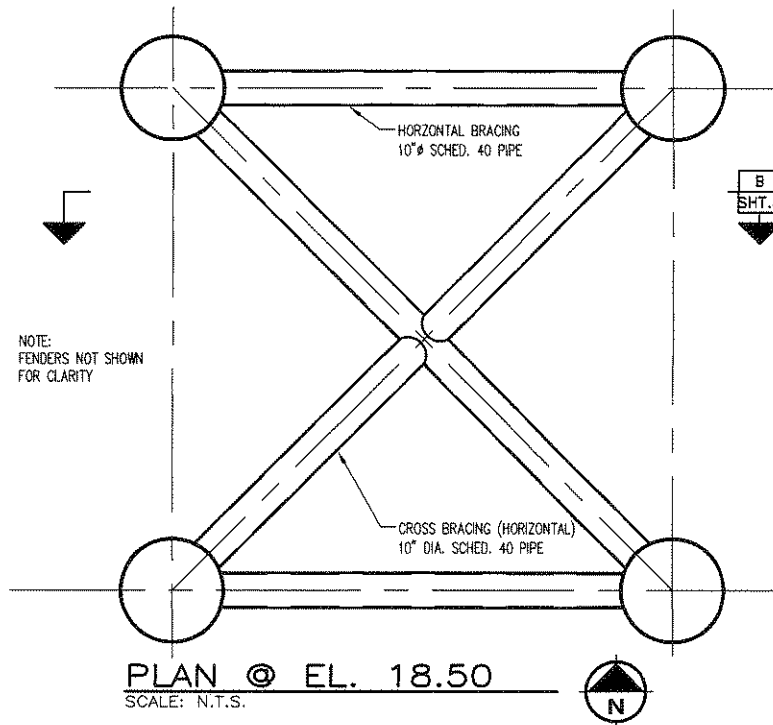
SHT. 6 OF 8

DATE: JANUARY 16, 2007



PLAN AT GRATING LEVEL

STEEL DOLPHIN
SCALE: N.T.S.



PLAN @ EL. 18.50

SCALE: N.T.S.



PLAN VIEW
TYPICAL DOLPHIN AT
T-18 NORTH
MOORING SITE

NWS-2007-497-SOW

DATUM: MLLW = 0.0 (N.O.S.)

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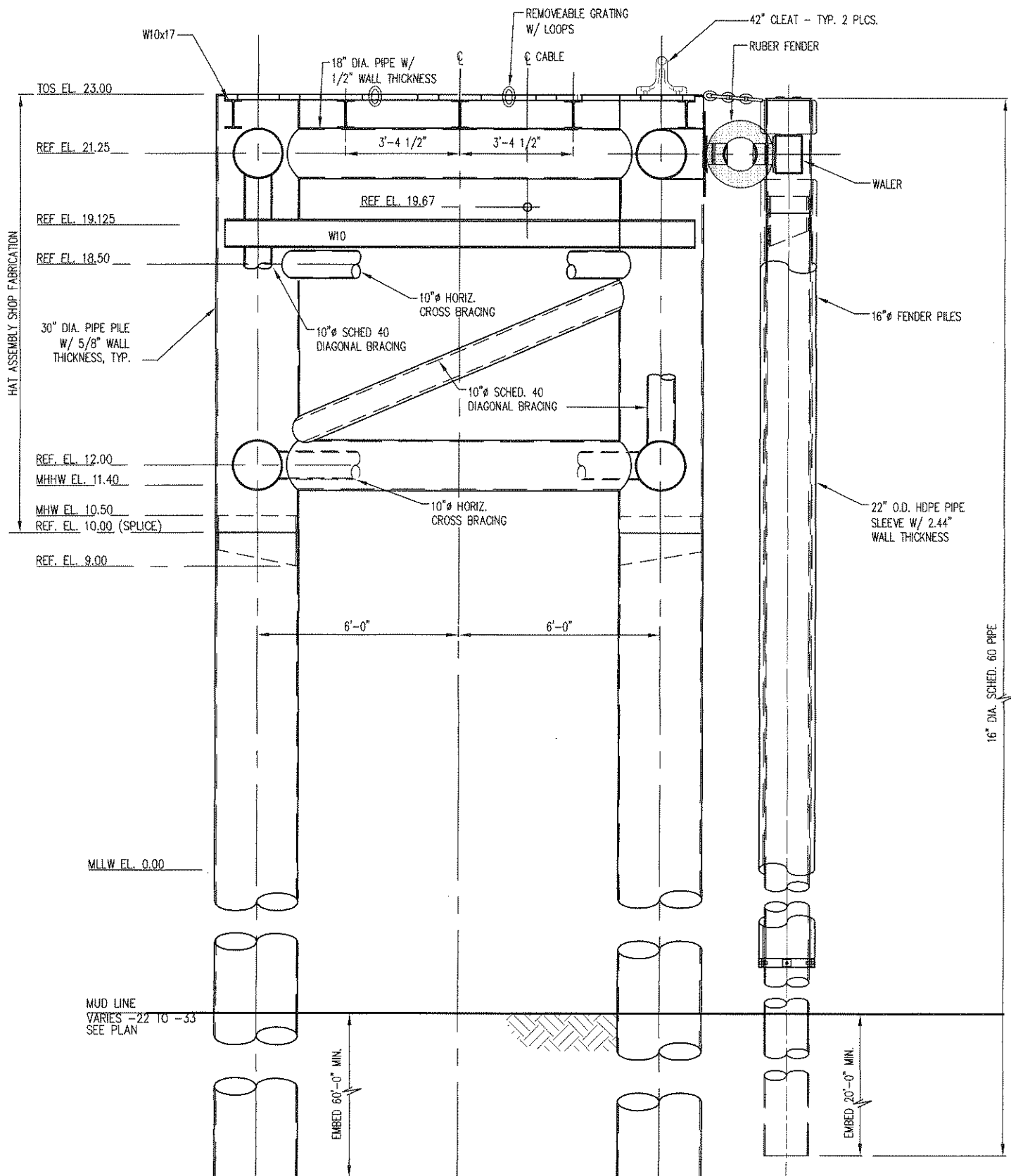
IN: ELLIOTT BAY OF PUGET SOUND

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APPLICATION BY: PORT OF SEATTLE

SHT. 7 OF 8

DATE: JANUARY 16, 2007



SECTION B

STEEL DOLPHIN
SCALE: 1/4" = 1'-0"

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SHT. 8 OF 8

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